1	Arnold R. Levinson (State Bar No. 066583) Terrence J. Coleman (State Bar No. 172183) David Lilienstein (State Bar No. 218923) PILLSBURY & LEVINSON, LLP 600 Montgomery Street, 31st Floor San Francisco, California 94111 Telephone: (415) 433-8000 Facsimile: (415) 433-4816 E-mail: alevinson@pillsburylevinson.com, tcoleman@pillsburylevinson.com, dlilienstein@pillsburylevinson.com, Attorneys for Plaintiff, SHEILA HENEGHAN		
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8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	TOXITEM DIS	THE OF CALIFORNIA	
11	SHEILA HENEGHAN,) Case No.: C06-04869 PJH	
12)	
13	Plaintiff,) STIPULATION OF DISMISSAL OF) STATE LAW CAUSES OF ACTION	
14	v.) (First and Second Causes of Action);	
15	METROPOLITAN LIFE INSURANCE) AND [P ROPOSED] ORDER)	
16	COMPANY, et al.,) The Hon. Phyllis Hamilton	
17	Defendants.) Trial Date: Not assigned	
18)	
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20	NOTICE TO THE COURT RE: STIPULATION OF DISMISSAL		
	PLEASE TAKE NOTICE that, pursuant to the Court's order at the November 9, 2006		
21	Case Management Conference, as set forth in the Civil Minutes filed on November 13, 2006,		
22	Plaintiff Sheila Heneghan, by and through her attorneys of record, Pillsbury and Levinson, LLP,		
23	and Defendant Metropolitan Life Insurance Company and the Bestfoods Long Term Disability		
24	Plan, by through their attorneys of record, Sedgwick, Detert, Moran & Arnold LLP, have entered		
25	into the following stipulation of dismissal of the state law (non-ERISA) causes of action (First		
26	and Second Causes of Action) in Plaintiff's Complaint in this action.		
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1	into the following stipulation of dismissal of the state law (non-ERISA) causes of action (First		
2	and Second Causes of Action) in Plaintiff's Complaint in this action.		
3	Accordingly, Plaintiff Sheila Heneghan hereby dismisses her state law causes of action:		
4	First Cause of Action for Breach of Contract; Second Cause of Action for Breach of the		
5	Covenant of Good Faith and Fair Dealing. This stipulation of dismissal does not affect		
6	Plaintiff's causes of action for benefits and equitable relief, pursuant to the Employee Retiremen		
7	Income Security Act (ERISA).		
8 9	Dated: January 10, 2007		
10 11	By:		
12	SHEILA HENEGHAN		
13 14	Dated: January, 2007 By: Michael Westheimer		
15 16	Sedgwick, Detert, Moran & Arnold LLP, Attorneys for Defendant, METROPOLITAN LIFE INSURANCE COMPANY		
17	* * *		
18	GOOD CAUSE APPEARING, and pursuant to the stipulation of the parties, the Court hereby ORDERS that Plaintiff's state law causes of action for Breach of Contract (first cause of action) and Breach of the Covenant of Good Faith and Fair Dealing (second cause of action) are		
19 20			
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	hereby dismissed.		
22	IT IS SO ORDERED		
23	D. 1977		
2425	DATED: January, 2007 The Honorable Phyllis J. Hamilton		
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1 Accordingly, Plaintiff Sheila Henoghan hereby dismisses her state law causes of action: 2 First Cause of Action for Breach of Contract; Second Cause of Action for Breach of the 3 Covenant of Good Faith and Fair Dealing. This stipulation of dismissal does not affect 4 Plaintiff's causes of action for benefits and equitable relief, pursuant to the Employee Retirement 5 Income Security Act (ERJSA). 6 7 Dated: January , 2007 By: 8 David M. Lilienstein Pillsbury and Levinson, LLP 9 Attorney for Plaintiff. SHEILA HENEGHAN 10 11 Dated: January 10, 2007 12 Michael Westheimer Sedgwick, Detert, Moran & Arnold LLP, 13 Attorneys for Defendant, METROPOLITAN LIFE INSURANCE 14 COMPANY 15 16 GOOD CAUSE APPEARING, and pursuant to the stipulation of the parties, the Court 17 hereby ORDERS that Plaintiff's state law causes of action for Breach of Contract (first cause of 18 action) and Breach of the Covenant of Good Faith and Fair Dealing (second cause of action) are 19 hereby dismissed. 20 IT IS SO ORDERED 21 IT IS SO ORDERED DATED: January 12. 2007 22 23 Judge Phyllis J. Hamilton 24 25 26 27 2 28